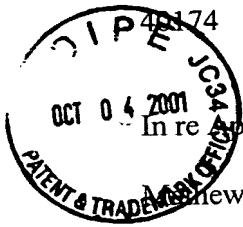


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TECH CENTER 1600/2900 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Shew J. During

Serial No.: 09/559,327

Filed: 27 April 2000

For: ORAL DELIVERY OF
ADENO-ASSOCIATED VIRAL VECTORS

Group Art Unit: 1633

Examiner: M. Penn

SUBMISSION OF TERMINAL DISCLAIMER FOR RECORDATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby requests the attached Terminal Disclaimer be recorded. A check for the \$55.00 recordation fee under 37 C.F.R. § 1.20(d) is attached hereto. If any additional fees are required by the filing of the instant Terminal Disclaimer, the Commissioner hereby is authorized to charge Deposit Account No. 18-2220.

Respectfully submitted,

Dean H. Nakamura
Attorney for Applicants
Reg. No. 33,981

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Roylance, Abrams, Berdo
& Goodman L.L.P.
1300 19th Street, N.W., Suite 600
Washington, D.C. 20036-2680
(202) 659-9076

Dated: 4 October 2001

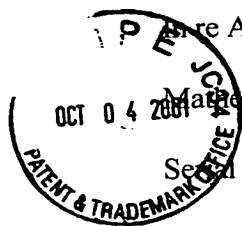
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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10-11-01
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TECH CENTER 1600/290



Re Application of:

Mathew J. During

Serial No.: 09/559,327

Filed: 27 April 2000

For: ORAL DELIVERY OF
ADENO-ASSOCIATED VIRAL VECTORS

Group Art Unit: 1633

Examiner: M. Penn

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Yale University is the owner of the entire right, title and interest of U.S. Ser. No. 09/559,327 filed 27 April 2000 by virtue of an Assignment from the inventor thereof, Mathew John During, to Yale University recorded on 27 April 2000 at Reel 010743, Frame 0648 as well as the entire right, title and interest in U.S. Ser. No. 08/481,708 filed 7 June 1995, now U.S. Pat. No. 6,110,456, by virtue of an Assignment from the inventor, Mathew John During, to Yale University recorded on 31 October 1995 at Reel 7713, Frame 0180.

The undersigned hereby certifies that the above-mentioned Assignments were reviewed and to the best of the knowledge and belief of the undersigned, title is in Yale University who is seeking to take the instant action.

The undersigned is empowered to act on behalf of Yale University.

Yale University hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Ser. No. 09/559,327 that would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Pat. No. 6,110,456, and hereby agrees that any patent so granted on the above-captioned U.S. Ser. No. 09/559,327 shall be enforceable only for and during such period that the legal title to U.S. Pat. No. 6,110,456

TERMINAL DISCLAIMER
U.S. Ser. No. 09/559,327

shall be the same as the legal title to said patent issuing from the above-identified U.S. Ser. No. 09/559,327, this agreement to run with any patent granted on the above-captioned U.S. Ser. No. 09/559,327 and to be binding on the grantee, its successors or assigns.

Yale University does not disclaim any terminal part of any patent granted on the above-captioned U.S. Ser. No. 09/559,327 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Pat. No. 6,110,456 in the event that U.S. Pat. No. 6,110,456 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is disclaimed statutorily in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: 4 October 2001

By: 

Dean H. Nakamura
Reg. No. 33,981